

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of

Replacement of Part 90 by Part 88 to  
Revise the Private Land Mobile Radio  
Services and Modify the Policies  
Governing Them

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PR Docket No. 92-235

and

Examination of Exclusivity and  
Frequency Assignment Policies of the  
Private Land Mobile Services

**PETITION FOR CLARIFICATION**

Pursuant to Section 1.429 of the FCC's Rules, UTC, The Telecommunications Association (UTC), hereby requests clarification of certain aspects of the Second Report and Order, FCC 97-61, released March 12, 1997, in the above-captioned proceeding. As explained below, UTC requests clarification of the procedures for the authorization of trunking in the bands below 512 MHz.

UTC applauds the manner in which the FCC has attempted to chart a new course for the introduction of more efficient technologies in the private land mobile radio bands below 512 MHz, bearing in mind the tremendous investment and wide variety of radio systems already in place in these bands. UTC looks forward to moving ahead toward the implementation of these rule changes.

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The present petition requests clarification of one aspect of the Second Report and Order; namely, the discussion at paragraphs 56-59 and the corresponding rules at new Section 90.187, on the authorization of trunking in the 150-174 MHz and 421-512 MHz bands. UTC has supported the authorization of trunking as a spectrum-efficient technology, and is pleased that the FCC has adopted rules to permit such operations, albeit on an interim basis pending a final decision on the issue of exclusivity. However, UTC requests clarification of the following points:

#### **1. Protection of the Trunked System Service Area**

New Section 90.187(b)(2)(ii) implies that, in standard applications for trunked facilities, new applicants will need to protect a 113 km (70 mi.) radius about the site at which trunking is proposed, requiring them to obtain consent from --

“Stations with service areas (37 dBu contour for stations in the 150-174 MHz band and 39 dBu contour for stations in the 421-512 MHz bands; See § 90.205) that overlap a circle with radius 113 km (70 mi.) from the proposed base station.”

This seems generally inconsistent not only with §90.205(d), which generally authorizes service areas greater than 80 km (50 mi.) only on a secondary basis, but also with §90.621(b), which provides for 113 km (70 mi.) separation in the 800 MHz band between co-channel *systems*. This refers to base stations, and thus implies that each station is entitled to a maximum 56 km (35 mi.) radius for its service area.

The alternative analysis defined in Section 90.187(b)(2)(ii) affords little clarification:

“Alternatively, applicants may submit an engineering analysis based upon generally accepted engineering practices and standards which demonstrates that the service area of the trunked system does not overlap any existing stations whose service areas overlap a circle with radius 113 km (70 mi.) from the proposed base station.”

This statement still implies that the new trunked system service area would meet or exceed a 113 km (70 mi.) radius. UTC requests clarification of the service area sought to be protected by these requirements.

## **2. Future Protection for the Trunked Facility**

The new rules are unclear as to the level of protection afforded a trunked licensee from new licensees. Section 90.187(b)(2)(iii) provides only as follows:

“New licensees will only be assigned the same channel as a trunked system, if the new licensee reaches an agreement with the licensee(s) of the trunked system.”

This implies that the trunked facility will be afforded a protected service area. UTC requests clarification as to the area within which a trunked system licensee could restrict authorization of its trunked channel(s) to another applicant.

### 3. Adjacent Channel Protection


Section 90.187(b)(2)(i) provides that an applicant for a trunked authorization must obtain consent of adjacent channel licensees; *e.g.*, 15 kHz or less removed from proposed stations that will operate with a 25 kHz channel bandwidth. However, it is unclear whether such adjacent channel operations are to be considered when a new system is proposed in the vicinity of an authorized trunked system.

**WHEREFORE, THE PREMISES CONSIDERED,** UTC respectfully requests the FCC to clarify the foregoing issues in the Second Report and Order in this docket.

Respectfully submitted,

UTC

By:

  
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